

commitment to the President of the executive power, the power to conduct the Nation's foreign affairs, and the authority as Commander in Chief.

The executive branch shall construe as advisory provisions of the Act that purport to regulate the means by which the President obtains recommendations or information from subordinates in the executive branch, as is consistent with the constitutional commitment to the President of authority to supervise the unitary executive branch and to require the opinions of principal officers of executive departments. Such provisions include sections 103A(a), 103B(d), 106, 119(h), and 101A of the National Security Act of 1947, as amended by sections 1011, 1014, 1021, and 1031 of the Act.

The executive branch shall construe as advisory provisions of the Act that purport to require the conduct of negotiations with a foreign government or otherwise direct or burden the President's conduct of foreign relations, including sections 4026, 4072(c)(2), 5301 to the extent it involves foreign diplomats and other foreign officials, 7116, 7204, 7210, 7217, 7303(c), and 7703, and sections 104(d) and 206(d)(1) of the Afghanistan Freedom Support Act as amended by section 7104. Further, the executive branch shall construe section 6(j)(5) of the Export Administration Act of 1979 as amended by section 7102(c) of the Act, to identify a non-exclusive factor for the Secretary of State to consider in his discretion in making determinations under subsection 6(j), as is consistent with the use of the non-exclusive term "include" in the provision and the congressional decision reflected in the text of the statute to afford the President substantial latitude in implementation of the provision.

The executive branch shall construe provisions of the Act that relate to race, ethnicity, or gender in a manner consistent with the requirement that the Federal Government afford equal protection of the laws under the Due Process Clause of the Fifth Amendment to the Constitution.

George W. Bush

The White House,
December 17, 2004.

NOTE: S. 2845, approved December 17, was assigned Public Law No. 108-458. An original was not available for verification of the content of this statement. This item was not received in time for publication in the appropriate issue.

Letter to Congressional Leaders Transmitting the "U.S. Ocean Action Plan"

December 17, 2004

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with section 4 of the Oceans Act of 2000 (Public Law 106-256; 33 U.S.C. 857-19), I transmit herewith the "U.S. Ocean Action Plan," a report and statement of proposals prepared by the Council on Environmental Quality in response to the Commission on Ocean Policy's final recommendations.

Sincerely,

George W. Bush

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate. This item was not received in time for publication in the appropriate issue.

The President's Radio Address

December 18, 2004

Good morning. This week my administration hosted an important conference on America's economic future. We heard from businessowners, workers, economists, and many other Americans who are seeing hopeful signs throughout our country. Our economy has come through a lot these past 4 years, and now our people are benefiting from solid economic growth, steady gains in new jobs, record homeownership, and rising family incomes.

We also discussed some of the fundamental challenges facing our economy, from junk lawsuits and burdensome regulation to the complicated Tax Code to the need for vital reforms in education, health care, and entitlements. I will work with members of both political parties to confront these problems so we can keep our economy flexible, innovative, and competitive, and so America